

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-----X
JENNIE CARLUCCI,

Plaintiff, 12 Civ. 1432 (PED)
-against-

WAL-MART STORES EAST, LP,
Defendant.
-----X

DECLARATION OF ELEANOR L. POLIMENI

ELEANOR L. POLIMENI, pursuant to 28 U.S.C. § 1746, declares the following under penalty of perjury:

1. I am a partner with the law firm of Finkelstein & Partners, LLP, attorneys for Plaintiff Jennie Carlucci in this action.
2. The following documents are referred to in Plaintiff's Memorandum of Law in Opposition to Defendant's Motions *in Limine* and submitted in opposition to Defendant's Motions *in Limine*.
3. Attached hereto as Exhibit A are excerpts from the transcript of the deposition of Plaintiff Jennie Carlucci, held on February 22, 2013.
4. Attached hereto as Exhibit B are Plaintiff's medical records from Orange Urgent Care, PLLC, dated 4/10/09.
3. Annexed hereto as Exhibit C is the July 26, 2013 Report of David H. Shumsky, Psy.D.
4. Annexed hereto as Exhibit D are Plaintiff's medical records from Orange Regional Medical Center.

5. Annexed hereto as Exhibit E are Plaintiff's medical records from Catskill Orange Orthopaedics PC.

6. Annexed hereto as Exhibit F are the Interview Transcripts of Rocco Carlucci, Robert Dollinger, Susan Brhel, Linda Iacovino, David Lee, Jennifer Klein, Bob Rushing and Laura Finch.

7. Attached hereto as Exhibit G is the Affidavit of Jennifer Klein.

8. Attached hereto as Exhibit H is the Letter from Plaintiff's counsel's to Dr. David J. Shumsky dated March 12, 2013, attaching Debra Sheafe's records.

9. Attached hereto as Exhibit I is the Letter from Plaintiff's counsel's to Dr. Brian Greenwald dated March 12, 2013, attaching Debra Sheafe's records.

10. Attached hereto as Exhibit J are the records of Carmen M. Martinez, MD dated April 13, 2009, April 29, 2009, July 3, 2009, and November 9, 2009.

11. Attached hereto as Exhibit K are records from Dr. Andrew Faskowitz.

12. Attached hereto as Exhibit L are the Curricula Vitae of Plaintiff's experts, Drs. Shumsky, Greenwald, McCoy and Kennett.

13. Attached hereto as Exhibit M are excerpts from the transcript of the deposition of Mary Frost, held on April 10, 2013.

Dated: Newburgh, NY
November 12, 2014

/s/ Eleanor L. Polimeni
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